

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ATLANTIS PETROLEUM, LLC	:	
	:	CIVIL ACTION
v.	:	
	:	NO. 11-2517
GETTY PETROLEUM MARKETING,	:	
INC., ET AL.	:	

**ORDER**

**AND NOW**, this 15<sup>th</sup> day of September, 2011, upon consideration of Defendant Getty Petroleum Marketing, Inc.'s Motion for Summary Judgment or, in the Alternative, for Partial Summary Judgment on Plaintiff Atlantis Petroleum, LLC's Second Amended Complaint and Getty's Counterclaims (ECF No. 74), and all documents submitted in support thereof and in opposition thereto, it is **ORDERED** that the Motion is **GRANTED** in part and **DENIED** in part:

1. The Motion is **DENIED** to the extent that there is a genuine issue of material fact as to whether Defendant terminated or suspended the Distributor Agreement on February 17, 2011.
2. In all other respects, the Motion is **GRANTED**.

**IT IS SO ORDERED.**

**BY THE COURT:**



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**R. BARCLAY SURRICK, J.**